

said land and personal property is now in the possession and occupation of the said Elizabeth Clagett and Edmund Clagett."

of a bank, acting in their proper sphere to protect their interests by suit or otherwise, will not be interfered with. *Ibid.*

On a bill by a coal company against a railroad company for an injunction to prohibit the latter from demanding higher rates for carrying coal than were fixed by the Act of Assembly, where it appeared that complainant, with its tram road connecting with the railroad of defendant, depended entirely upon the latter for the transportation of its coal to market and was specially damaged by the exaction of excessive freights, it was held that complainant was entitled to an injunction. *Am. Coal Co. v. Consol. Coal Co.* 46 Md. 16.

The fact of the selling of the franchise of a mining company by the corporators, before any of the stock was subscribed for, by means of which alone corporate rights could be transferred, forms no ground for an injunction against the corporation to stay it in the exercise of its franchises. *New Central Co. v. Georges Creek Co.* 37 Md. 539. Where complainants had failed to comply with the terms of their subscription to the stock of a company, without any default on the part of the company, they have no such interest as entitles them to apply for an injunction and receiver. *Busey v. Hooper*, 35 Md. 15.

Where the N. C. Railway executed a mortgage to the State of its entire road, with all the tolls and revenues, to secure the payment of an annuity of \$90,000, and under this mortgage the State stood as second and third incumbrancer, it was held, that upon its being shown that the company, in violation of its duty, was applying its revenues, the only means of paying the annuity, to the payment of junior incumbrances, equity ought to interfere, to the extent of its jurisdiction, by injunction and the appointment of a receiver. *State v. Railway Co.* 18 Md. 193.

If the trustees of a church have intruded upon the office of the minister or steward of the church, it is no ground for an injunction at the instance of the male members of the congregation, but the remedy is by mandamus at the relation of the officer disturbed or ousted. *Tartar v. Gibbs*, 24 Md. 323. Cf. *Gilbert v. Arnold*, 30 Md. 37; *Runkel v. Winemiller*, 4 H. & McH. 429.

Injunction to prevent the reorganization of the W. U. Tel. Co. refused. *Sprigg v. Tel. Co.* 46 Md. 67. Application by a stockholder and creditor of a corporation to prevent the use of a certain method of settling its affairs as being in violation of the charter, rejected, because complainant had assented. *Md. Sav. Inst'n v. Schroeder*, 8 G. & J. 93. Bill to restrain sale of a railroad under the power contained in a deed of trust executed by the road to secure payment of certain bonds. *Brown v. State*, 62 Md. 439.

XII. INJUNCTIONS IN PARTNERSHIP MATTERS. See *Williamson v. Wilson*, 1 Bland, 418, and in addition to cases there cited, *Reeder v. Machen*, 57 Md. 56; *Bennett v. Rhodes*, 58 Md. 78; *Bush v. Linthicum*, 59 Md. 344. Bill for an injunction and account by one partner against another. *Abrahams v. Myers*, 40 Md. 499.

XIII. INJUNCTIONS TO PROTECT TRADE-MARKS. Trade-marks are property, and a person using such marks without the authority of the owner will be restrained by injunction, even where it does not appear that there was any fraudulent intent in their use, and will be required to account for the profits derived from the sale of the goods so marked. *Stonebraker v. Stonebraker*.